REMARKS

Claim Rejections – 35 U.S.C. § 102 Over Bryan

Claims 1-24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Bryan *et al.* (U.S. Publication No. 2002/0146015 A1) (hereafter 'Bryan'). To anticipate claims 1-24 under 35 U.S.C. § 102(b), Bryan must disclose each and every element and limitation recited in the claims of the present application. As explained below, Bryan does not disclose each and every element and limitation recited in the claims of the present application and therefore does not anticipate claims of the present application. Claims 1-24 are therefore patentable and should be allowed. Applicants respectfully traverse each rejection individually below and request reconsideration of claims 1-24.

**Bryan Does Not Disclose Each and Every Element
Of The Claims Of The Present Application**

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As explained in more detail below, Bryan does not disclose each and every element of claim 1, and Bryan therefore cannot be said to anticipate the claims of the present application within the meaning of 35 U.S.C. § 102(b).

Independent claim 1 recites:

1.   A method for creating a voice response grammar in a voice response server, the method comprising:

identifying a user for a presentation, the user having a user grammar, the user grammar including one or more user grammar elements, each user grammar element including an identifier of a structural element, a key phrase for invoking a presentation action,

and a presentation action identifier representing a presentation action; and

storing a multiplicity of user grammar elements for the user in a voice response grammar on a voice response server.

Bryan Does Not Disclose Identifying A User For A Presentation, The User Having A User Grammar, The User Grammar Including One Or More User Grammar Elements, Each User Grammar Element Including An Identifier Of A Structural Element, A Key Phrase For Invoking A Presentation Action, And A Presentation Action Identifier Representing A Presentation Action

The Office Action takes the position that Bryan at paragraph 0034 and paragraph 0036, discloses the first element of claim 1: identifying a user for a presentation, the user having a user grammar, the user grammar including one or more user grammar elements, each user grammar element including an identifier of a structural element, a key phrase for invoking a presentation action, and a presentation action identifier representing a presentation action. Applicants respectfully note in response, however, that what Bryan at paragraph 0034, in fact discloses is:

> [0034] Audio macros are the words the listener assigns to access either a specific source or piece of information or multiple sources or pieces of information with due regard to the associated reference source, full-text search, and temporal information. Audio macros are similar to bookmarks in a 2D environment and assigned by the listener to access either a specific source or a piece of information or multiple sources of information with due regard to the associated temporal information. They are not finite and static as in other systems, but may be dynamic and infinite. The audio macros create a unique grammar set for that listener and the template in use. Again, grammar is the set of vocabulary words or audio macros that speech recognition hardware and software must recognize for a particular user. The system offers dynamic grammar loading so that the task of speech recognition is much easier than fixed grammar sets. Dynamic grammar loading refers to the loading of all of the particular audio macros for a particular user for a particular session. It is also easier for the user to remember his/her own macros and it is easier for the speech recognition technology to use a smaller set of unique grammar.

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In addition, what Bryan at paragraph 0036, in fact discloses is:

[0036] The login module has a registration component for first time listeners to provide basic set-up information. Accessed via any suitable user interface, such as the Internet for sophisticated computer users or an 800 number for those with out computer/internet familiarity, the module acts as a conduit for collecting data such as name, address, phone number, PIN number, voice authentication, fingerprint or other ID number, email addresses (home, work, groups), fax number, GPS, and other basic information. Once the user is registered, the user may just log in.

That is, Bryan at paragraph 0034 and paragraph 0036, discloses audio macros that are words the listener assigns to access either a specific source or piece of information. Bryan's audio macros that are words the listener assigns to access either a specific source or piece of information does not disclose identifying a user for a presentation, the user having a user grammar, the user grammar including one or more user grammar elements, each user grammar element including an identifier of a structural element, a key phrase for invoking a presentation action, and a presentation action identifier representing a presentation action as claimed in the present application. Each user grammar element as claimed in the present application includes an identifier of a structural element, a key phrase for invoking a presentation action, and a presentation action identifier representing a presentation action. Bryan's 'audio macros,' however, only contain words, not an identifier of a structural element, a key phrase for invoking a presentation action, and a presentation action identifier representing a presentation action as claimed in the present application. In fact, Bryan does not disclose, at this reference point or anywhere else, an "identifier of a structural element," "key phrase," or "presentation action identifier" as claimed in the present application. Bryan's audio macros, therefore, do not disclose user grammar elements as claimed in the present application. Because Bryan does not disclose user grammar elements as claimed in the present application, Bryan cannot disclose the first element of claim 1 including identifying a user for a presentation, the user having a user grammar, the user grammar including one or more user grammar elements, each user grammar element including an identifier of a structural element, a key phrase for invoking a presentation action, and a presentation action identifier representing a presentation action as claimed in the present application. Bryan therefore

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does not anticipate Applicants' claims and the rejections under 35 U.S.C. § 102(b) should be withdrawn.

Bryan Does Not Disclose Storing A Multiplicity Of User Grammar Elements For The User In A Voice Response Grammar On A Voice Response Server

The Office Action takes the position that Bryan at paragraph 0067, discloses the second element of claim 1: storing a multiplicity of user grammar elements for the user in a voice response grammar on a voice response server. Applicants respectfully note in response, however, that what Bryan at paragraph 0067, in fact discloses is:

> [0067] The modules and databases illustrated in FIG. 1 may execute on any suitable hardware platform. In a preferred embodiment, the hardware platform comprises one or more enterprise servers 118. Enterprise servers suitable for use with embodiments of the present invention include the Enterprise 220 or 440 servers available from SUN Microsystems and the RISC 6000 available from IBM Corporation.

That is, Bryan at paragraph 0067, discloses a hardware platform that comprises one or more enterprise servers. Bryan's hardware platform that comprises one or more enterprise servers does not disclose storing a multiplicity of user grammar elements for the user in a voice response grammar on a voice response server as claimed in the present application. Bryan does not disclose at this reference point or any other reference point a user grammar element that includes an identifier of a structural element, a key phrase for invoking a presentation action, and a presentation action identifier representing a presentation action as claimed in the present application. Because Bryan does not disclose a user grammar element as claimed in the present application Bryan cannot disclose the second element of claim 1 including storing a multiplicity of such user grammar elements for the user in a voice response grammar on a voice response server as claimed in the present application. Bryan therefore does not anticipate Applicants' claims and the rejections under 35 U.S.C. § 102(b) should be withdrawn.

Relations Among Claims

Independent claims 9 and 17 are system and computer program product claims for creating a voice response grammar in a voice response server corresponding to independent method claim 1 that include "means for" and "means, recorded on [a] recording medium, for" creating a voice response grammar from a user grammar.

As discussed above, Bryan does not disclose a method for creating a voice response grammar in a voice response server. Therefore, for the same reason that Bryan does not disclose a method for creating a voice response grammar in a voice response server, Bryan also does not disclose systems and computer program products for creating a voice response grammar in a voice response server corresponding to independent claims 9 and 17. Independent claims 9 and 17 are therefore patentable and should be allowed.

Claims 2-8, 10-16, and 18-24 depend respectively from independent claims 1, 9, and 17. Each dependent claim includes all of the limitations of the independent claim from which it depends. Because Bryan does not disclose each and every element of the independent claims, Bryan does not disclose each and every element of the dependent claims of the present application. As such, claims 2-8, 10-16, and 18-24 are also patentable and should be allowed.

Conclusion

Claims 1-24 stand rejected under 35 U.S.C. § 102 as being anticipated by Bryan. Bryan does not disclose each and every element of Applicants' claims. Bryan, therefore, does not anticipate Applicants' claims. Claims 1-24 are therefore patentable and should be allowed. Applicants respectfully request reconsideration of claims 1-24.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

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